

May 1, 1975

about this bill and I have reservations because we do have amendments prepared to 368A which would accomplish the same thing and I agree with Senator Duis that the Governor has the prerogative to introduce a bill whenever he wants to. So be it.

SPEAKER: Senator Lewis.

SENATOR F. LEWIS: My request, Mr. Chairman, is not to debate the bill. Obviously, the bill doesn't have time for a public hearing because of the waning things. I'm asking that it simply be placed on General File at which time would give me ample time to visit with Senator Koch and Senator Duis. This is a response from the Governor in response to a letter I sent him explaining that the bill that he had previously sent in was unconstitutional, had some drafting problems. I am simply asking that you put it on General File. I have done my job. I don't care what you do with it.

SPEAKER: Senator Syas.

SENATOR SYAS: The only thing I wish to say about it, to help clarify one thing, you'd better put the bill on General File because even though you have an amendment on 368, how do you know 368 is going to pass. So you had better have the other bill. Because 368, this will make it with two subject matters in it and some Senators may be in favor of part of it and not in favor of the other and it may fail on General File...I mean on Final Reading, for that reason, double subjects, and you might need this other bill. Generally bills with two subjects have a tougher time going across than those of one and 368 wasn't too strong to start with and now I think it has got some brickbats put on it on top of it.

SPEAKER: The Chair recognizes Senator Duis.

SENATOR DUIS: Well, I...Mr. President, members of the Legislature, I am certainly willing to put it on General File. It just takes a suspension of the Rules to do this but this is an instance where the Governor had an unconstitutional bill, and if I recall correctly, not too long back when we sent one over there, he caught it and said he was the watchdog of the Legislature that they didn't pass unconstitutional affairs, and if I recall correctly, the original bill on this lid of spending was the Governor's bill in here. Now then, do we have assurance that this one is constitutional. Senator Syas, you are the constitutional authority here.

SPEAKER: Senator Syas.

SENATOR SYAS: Well, I read the Attorney General's opinion, and I would say I hope...I haven't had a chance to read this bill. I hope it is but I did call to your attention consistently in this Legislature for years for one thing, you asked, there was two Attorney General's opinions on this on two parts of it. One of them I told you, you can't hook legislation to the federal government cost price index. You did it anyhow. You have been doing it anyhow and he ruled that one out. Now he ruled the other part out. I haven't seen this bill. I haven't had any chance to read it. There is no intent or even purpose on my...but